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No. H310.67



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# SPEECH

OF

MR. (LINCOLN OF MASSACHUSETTS:

DELIVERED

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES, FEB. 7, 1837,

ON THE RESOLUTION TO

CENSURE THE HON. JOHN Q. ADAMS,

FOR INQUIRING OF THE SPEAKER,

WHETHER A PAPER, PURPORTING TO COME FROM SLAVES,

CAME WITHIN THE

RESOLUTION LAYING ON THE TABLE ALL (PETITIONS RELATING TO SLAVERY.)

(Reported by the Editor of the Boston Daily Advocate.)

WASHINGTON

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## SPEECH.

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MR. SPEAKER: It may seem the extreme of rashness that I should attempt to oppose, by my humble efforts, the torrent of invective which is pouring forth, from every quarter of this House, upon the devoted head of my venerable colleague. It was alike my intention to take no part in this debate, and my wish to keep free from the excitement to which it might lead. But whatever my original purpose, I can no longer consent to remain silent, when the subject before the House assumes the form of a direct censure upon my colleague, for an act, which he deliberately and solemnly declares, he conscientiously believed, to be in discharge of his representative duty. Such is the reverence due to his age, such the respect paid to his character and the remembrance of his public services, so high the confidence in his integrity and in the purity and patriotism of his motives, so beloved and honored is he at home, and so known to fame abroad, that whatever may be the result of this discussion, whatever the action of the House upon these most extraordinary resolutions, there are those, and they are not a few, here and elsewhere, who will deeply sympathize with him, in the trial to which he is now informally subjected. I plant myself by his side, on the *principles* for which he is contending. I come not, sir, to his protection against the particular occasion of offence which he may have given. To this, he is, of himself, most abundantly able. He needs not, if he would accept, my feeble aid. His justification is in his own mouth, and he is far more capable than I could pretend to be, to make it effectual.

It was perhaps fortunate for me, Mr. Speaker, that I was not present when the supposed offence was committed by my colleague. [Mr. LINCOLN was then engaged as a member of the select committee of which Mr. WISE is chairman.] I may therefore hope to be excused from participating in much of that excitement, which is so strongly manifested by others. Besides, sir, I come from that cold region of country, so reproachfully referred to by the gentleman from Georgia, [Mr. ALFORD,] where the passions, like the temperature of the climate, are supposed to be less ardent than in more southern latitudes. Yet the people of the *North*, I can assure that honorable gentleman, are not wanting in all the sensibilities which do honor to human nature. They have, indeed, like passions, and partake of like infirmities, with other men. If they do not always speak "in words which burn," and act with an impulse which startles, it is because they are schooled and disciplined to habits of calm and sober reflection; because they have been taught, from in-



fancy, that *reason* is a better guide than *passion*; that it is wiser and safer to regulate the conduct by the dictates of *judgment*, than blindly to follow those generous and fearless promptings of our nature, which sometimes lead to excesses, even in virtue. Sir, will not this House, on the present occasion, profit somewhat, by imitating the characteristic coolness and discretion of northern men, in yielding something of the excess of feeling to the more calm suggestions of reason, while deliberating upon the conduct of my venerable friend, and deciding the character of the offence which he is charged with having committed? Offence, did I say? *There has been no offence.* It is a false denomination of the act of my colleague. There are too many lawyers on this floor, to permit a sanction to the *misnomer*, by the deliberate judgment of the House.

The House will bear with me, I humbly trust, while I advert to the conduct of my colleague, which is charged as a premeditated and heinous crime. At a proper time, in order, within the strictest rules of the House, my colleague being entitled to the floor, propounded a question to the Speaker, in reference to the disposition to be made of a petition, the answer to which he intended to receive as directory to his conduct in the matter. Distrusting his own judgment, he addressed, respectfully, a request for information, to the Chair, in the faithful determination, as he now explicitly declares, to regulate his subsequent action by the direction which should be given him. And is such the offence for which the venerable member from Massachusetts is to suffer the severe reprehension of this House? [Mr. PICKENS, of South Carolina, here rose, and desired to say, that it was for announcing that he had a petition from *slaves*, thus destroying all the relations of master and slave, and denying the doctrine that the slave can only be heard through his master: this is the offence.] Yes, Mr. Speaker, I am aware that this is the understanding of the gentleman from South Carolina. But did my colleague assert or deny *any doctrine*, or in any wise allude to the relation of master and slave? I will not stop to inquire whether he might, or might not, very properly have done so. It is enough to say that his language was confined to a naked inquiry, in which no doctrine was denied, and the rights of masters in no respect involved. The question put to the Speaker was simply this: *Does a petition purporting to be from slaves fall within a rule of the House?* The purport of the petition was not even intimated. Again, then, I demand, is it for making this inquiry, that my colleague is to answer? It is to the *act* itself we must look, to determine its character; and that act consisted, wholly and exclusively, in putting the question to the Chair.

But it has been urged, in the course of this debate, that, however equivocal or innocent might seem to be the language of the inquiry, yet that it was made with a sinister and culpable *intent*. Is it *intention*, then, the secret purpose of mind, which constitutes the crime of which this House is to take cognizance? In what code of criminal jurisprudence, from what law of Parliamentary practice, do gentlemen gather jurisdiction of the thoughts of the heart? If the external action be not criminal, the inward motive cannot change its character. Who ever heard, in a court of justice, that intention could be imputed as crime, when the act with which that intention was connected, constituted no offence? The wrong which is cognizable by law, is in the overt act. The plotting of treason is not treason. The design to lie in wait is not murder. The intent may change the apparent character of the



act, but, without the act, the intent is nothing. Need I illustrate? A homicide is committed: it may be murder or manslaughter; an excusable or a justifiable act, according to the intention of the agent; but if there be no slaying, the mere purpose to do it, however malicious or premeditated, violates no law. Apply the principle, however incongruous may seem the illustration, to the case before the House. My honorable colleague is charged with a contempt. It has been satisfactorily shown, as I trust, that, in the language of the inquiry proposed by him to the Chair, there was nothing contemptuous to the Chair or to the House. In and by itself, the inquiry was altogether harmless. Wherein, then, is the contempt? It still rests, if intended, in the breast of my colleague, without the form of expression to give it the character of an offence.

The gentleman from Georgia [Mr. HOLSEY] has objected to my colleague, that, by his conduct, subsequent to the inquiry propounded by him to the Chair, he has *trifled* with the feelings of members, and the dignity of the House. This is distinct and different ground for accusation; but, Mr. Speaker, I put it to the liberality of the gentleman himself to say, whether, after the explicit disclaimer by my colleague, this cause of complaint should further be insisted on. What, sir, have we heard this very morning? After time has been given for the excitement of yesterday's debate to subside; after a night, doubtless, of thoughtful consideration and recollection, my venerable colleague has, here, in the presence of the House, made the deliberate and solemn declaration, that to trifle with the House, or its members, would be the last possible purpose of his heart. And is not this enough? Can it be permitted for the gentleman from Georgia now to argue, by inference, against the sincerity of that declaration? It is asked, if no disrespect to the House was intended, wherefore the manner of my colleague, so different from that of other members, in presenting memorials? This inquiry I will not undertake to answer. It may be matter of taste or matter of judgment with my colleague. His manner is not my manner; nor do I see in his better success, on this subject, in this House, any encouragement to me for its adoption. But, Mr. Speaker, it was not unreasonable to suppose that the exception is taken rather to the *character* of the memorials than to the *manner* of presenting them. If the charge of trifling with the House is made upon the ground that the venerable gentleman presents to the House *abolition memorials*, then is he not the only offender. If to present the petition of Abolitionists be to trifle with the House, there are many here who should not cast the first stone. Sir, I am, in the popular sense of the term, *no abolitionist*. Although I would to God that every human being was *enlightened* and *free*, yet I have never advocated, either on this floor or elsewhere, the peculiar views or schemes of the abolitionists. Pure and philanthropic, as I believe the motives of most of them to be, I have seen many and most serious obstacles to their progress, and anticipated fearful consequences from their success. But for this cause, in an honest difference of sentiment between us, I have not felt at liberty to withstand their right of petition. Like my colleague, I have presented their memorials—*willingly* and *cheerfully* presented them—as the will of that portion of my constituents who have committed them to my charge. I have presented them from men and women of as pure, elevated, and intellectual character as any in the world; men and women, kind and generous, and of tenderest sympathies, who would no sooner do an injury or an act of injustice to any human being than the most chivalrous or true-hearted of the sons or



daughters of the South. Sir, I shall continue to present these petitions, within the rules of the House, whenever, and as often, as they are transmitted to me.

But, say gentlemen, my colleague, in presenting these abolition memorials, has eulogized the character of those who have subscribed to them. The gentleman from South Carolina, [Mr. THOMPSON,] in an especial manner, excepts to this, as an aggravation of the offence, and insists, that it evinces, in the technical language of the law, *a heart void of social obligation and fatally bent upon mischief*. Will the honorable gentleman be pleased to consider, whether this supposed cause of exception be so peculiarly applicable to the members from Massachusetts, or to this class of petitions? Sir, do not other members do the same, on other occasions, and in regard to every other subject? Is it not usual, common, within the rule of the House, or, at least, the *practice* of the House, so to do? Has not a member, in presenting a petition of any description, a right to declare *whence*, and *from whom*, it comes? May he not say, that this one, who subscribes it, is a minister of the gospel of peace; that another is a citizen of the highest intelligence and the purest virtue; that others are intellectual and accomplished women, in whose breasts the feelings of kindness and human sympathy ever find a home? To do this, is it an offence? How often, sir, have the character, and influence, and standing in society of petitioners been stated on this floor, to enforce the prayer of their petition? In the memorable panic session, as it has been termed, of the last Congress, on a question, regarded by some who now exhibit peculiar sensitiveness, as one of mere pecuniary concern, involving the simple consideration, whether the revenue of the country should be deposited in one strong box, or another, gentlemen in every quarter of the House stated and dwelt upon the character and standing of the petitioners, and who then, held this to be a breach of privilege? Sir, it is every day's practice. And may that be done in respect to matters of property, which is forbidden in things of infinitely higher moment, affecting the rights of person, and the prerogatives of freemen; the liberty of speech, and the right of petition? Mr. Speaker, it has fallen to the lot of my venerable colleague to have been charged with more of these petitions than all of his associates in the delegation, together. His age, his character, the stations he has held, and his standing before the world, have brought upon him responsibilities, which others might not have borne. The people have thrown upon the shoulders of Ajax the weight, which no common man could have sustained. They trusted to his talents, his learning, and his great experience, to secure to him the deference of respect due to these qualifications, in the duties he was called upon to discharge. If this shall not now be accorded to him, and these resolutions are to pass, I shall, in common with my colleagues, not cease to lament, that *we* were not permitted more largely to share in that painful pre-eminence, to which the preference of our respective more immediate constituents may have contributed to subject *him*.

Mr. Speaker, there is another topic in this connexion, upon which I wish to address a few words to the consideration of this House. Coming from the State by which I have been so highly honored, and knowing full well, as I think I do, the character of the people whom I represent, I cannot pass by this occasion without, for the first time since I have been on this floor, expressing something of that feeling with which I have often been compelled to listen to the tone of remark, *from one quarter of this House*. Sir, I have



sat, day after day, week after week, year after year, and heard the *North* and the *East* assailed by every epithet of indignity and reproach. I have seen honorable, high-minded, "chivalrous" men from the *South* stand up in their place, and heard from their lips denunciations of a whole section of country, as selfish, sordid, mean-spirited, unpatriotic. In the *fury of debate*, the vocabulary of opprobrious terms has been exhausted. Respectful petitions, presented by my colleagues and myself, have been characterized as the acts of the vilest incendiaries! I rejoice in the opportunity now afforded me, to repel these most offensive and calumnious aspersions. Those who indulge in them are ignorant, alike, of our character and our doings. What do we now witness? Under a rule of the House, petitions laid on your table without being read, and yet, with no knowledge of their contents, flippantly denounced as vile, *incendiary* productions! For myself, I say here, in my place, such is *not* the character of a single paper which I have presented, nor do I believe it applies to any, offered by either of my colleagues. On the contrary, they are respectful memorials, clothed in language decorous to the body to which they are addressed, and appropriate to the object they are designed to accomplish, such as no man, in a fit state of mind for legislation, with cool and deliberate judgment, could justly take offence at. If Southern gentlemen had done with this class of memorials as, in my humble judgment, it would have been for their peace and happiness to have done, sent them to the consideration of a committee, we should have had fewer of them here, and a better feeling on the part of those of us from the North who are disposed, by every reasonable means within our power, to prevent interference and allay agitation at home, on this most dangerous subject. Great injustice has been done, both to us and to our constituents, in this hall. Can gentlemen seriously believe what their impassioned feelings, in the ardor of debate, too often lead them to express? There are those among them, who have visited, at least, one portion of the country, from whence these petitions come, and have had some opportunity of judging of the character of its population. What say these gentlemen, of our New England? We call upon them to stand up here, and testify. Did they find the mass of our citizens *ignorant, priest-ridden fanatics*; incendiaries, prepared for deeds of rapine and blood, and eager to wrap the dwellings of slaveholders in flames? Idle, worse than idle, is every such pretence of apprehension. Those who sign these petitions are among the most harmless, moral, conscientious, pious people of the land. They would be the last to excite to violence, or willingly do their Southern brethren a wrong. They are acting under honest (however mistaken) convictions of duty. They conscientiously believe that a great moral evil exists in the form of slavery, and they believe, as *I also believe*, that Congress has the *power* to abolish slavery and the slave trade in the District of Columbia. Beyond this, practically, I have never found, among my constituents, man, woman, or child, who wished to go. On the point of sound policy, of high political expediency, of the propriety and wisdom of the interposition of this power, of the tendency of the measures which these worthy people propose, to improve the condition of the slaves themselves, of the consequences, here and elsewhere, of sudden and entire abolition, even within the District of Columbia, I do, indeed, differ with them. But I respect their motives. Theirs may be, and I think is, an error of judgment, in urging, under existing circumstances, and in the present excited state of the South, these memorials upon Con-



gress. In my opinion, this is not the time for their favorable reception, or for the proper action upon them. But the memorialists view this matter in a different light. Freemen themselves, they deem it neither consistent with the character of a free people, nor creditable to the nation, that their representatives should be legislating here, in the midst of slaves. They plant themselves upon the constitution, and, honestly believing that they bring their petitions within its spirit, they earnestly implore you, to remove this stigma from the land. And will you not, sir, look into the matter? Dare you not trust yourselves with a question, over which you have exclusive control? Believe me, there is nothing to fear. These thousands of women, these hundreds of clergymen, the kind-hearted, the sympathetic, and the devout, who sign these petitions, are not the incendiaries to apply the torch to southern dwellings. May not piety utter its prayer for the relief of human misery? May not female tenderness heave a sigh for the condition of the oppressed, without giving occasion for alarm? This is no scheme of ambition, no plotting of selfish, designing, reckless politicians. It is principally the unsophisticated, the artless, the simple, and the unoffending, who thus approach you; who, regarding duty in its remote relations, and taking counsel of their kinder feelings, believe it safe to ask you, if you cannot interpose, *within your own unlimited jurisdiction*, to alleviate a crying evil, without prejudice to the public weal. And will you not even hear such a request, from a humiliating distrust of the exercise of your own judgment, to grant or refuse it?

One word more on this point, with the indulgence of the House, in reference to the State from which I come. The people of Massachusetts are a just, a faithful, and a liberal people. They are devotedly attached to the Union, and, for its preservation, will ever seek to cultivate the truest sentiments of affection and respect for their brethren of the South. There is none other than kind feeling in the North towards the South. I know this to be the fact. I full well know, that, even those who sign these abolition petitions, have nothing further from their hearts than harm or danger to the Southern States. They call slavery *a sin*, but they charge not upon the present generation the responsibility for its existence. They look into the constitution, which the North will be the last to violate, and they see and recognise there, the guarantee of this peculiar institution of the South, *in the States* of the Union. They dream not of mischief to their Southern brethren, from the indulgence of their benevolent wishes for the freedom of the slave. Not a man among them but would stand appalled, at the very thought, that what he was here attempting, would incite to servile insurrection or civil war. If the time and the occasion shall ever come, which, may Heaven in mercy avert, when, however instigated, the hand of the slave shall be raised against his lawful master, and the tocsin of alarm shall be sounded from our Southern borders, then shall it be known, that the cords of affection, of a common kindred, and of ancient friendships with our Southern brethren, are closely knit in every Northern bosom, and that the hour of trial with *them* cannot pass, without *our* sympathy and generous participation in their service and suffering.

Mr. Speaker, I represent, with my colleagues, the people of a State who were early taught the value of civil liberty. They know of no freedom without the freedom of speech, the freedom of the press, and the right of petition. They derive not these enjoyments from any parchment charter of Govern-



ment, but claim them as the absolute, unqualified inheritance of freemen, the prerogative of civilized, social man. The Constitution of Massachusetts was adopted in the midst of the great struggle for American liberty; and there it is written, in letters of gold, in her glorious Bill of Rights, that the right of the people peaceably to assemble and petition, is an *inalienable right*, and cannot be impaired; that the liberty of speech, and of the press, is *essential to freedom in a State*, and ought not to be restrained. It is upon these fundamental principles, first proclaimed by themselves, and *afterwards* ingrafted into the frame of the Federal Government, mainly by the action of the Convention of Massachusetts, that the people of Massachusetts claim the right to speak, and write, and petition. Having this right, they send their petitions here, and all they ask or hope is, that their requests may be considered, and such disposition made of them as best comports with the honor, peace, and welfare of the nation. They mean no offence. They meditate no wrong; and, in vindicating them, I do but vindicate and assert those great principles of civil liberty, to enforce and carry out which this Government was founded, and the subversion of which this Republic cannot survive.

Mr. Speaker, I have risen and made these unpremeditated remarks, not knowing that I shall even be sustained by a single member from my own State, or the North, in protesting against the passage of the resolutions upon your table. But whether I stand alone, or am supported, I can never consent, that my venerable colleague shall be brought to your bar, to be censured for a conscientious discharge of duty. What he has done, he has manfully, rightfully, nobly done, in defence of the inestimable right of petition, and the freedom of speech in this House.















































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